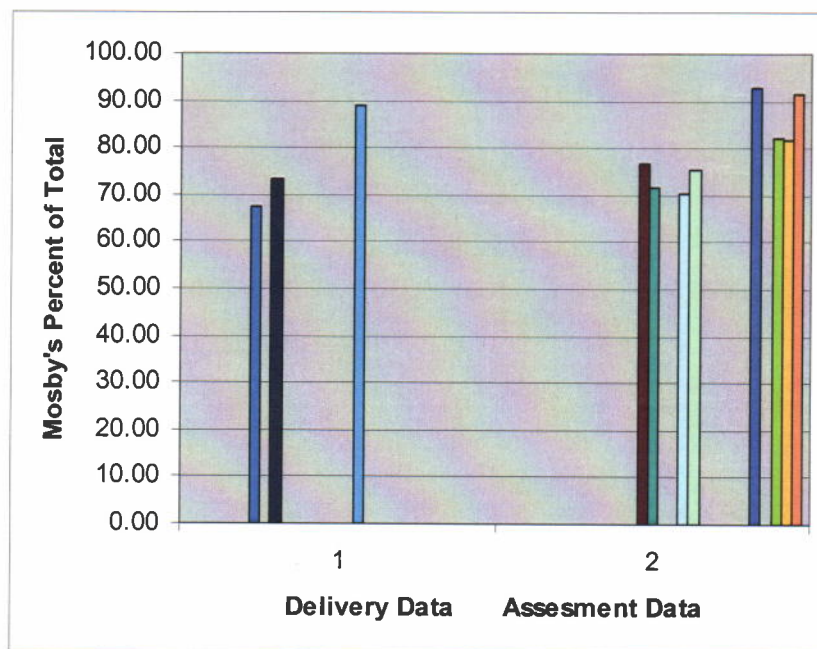


Sole Supply determination for Mosby Irrigation Company
45 Area Book 9

Mosby Irrigation Company diverts water from the Ashley Creek Drainage and delivers it to lands located in the Deep Creek area which is tributary to the Uinta River. (Diverted in the 45 Area and delivered in the 43 Area) To determine the sole supply for the Mosby water rights the total number of acres irrigated and the percentage of the water delivered to the total acres and the duty is required. Mapping conducted in 2008 shows the total acreage irrigated by Mosby to be 1,504.74 acres. Mosby provides all of the water for 854.5 acres and provides a supplemental supply for 650.24 acres. The original applications to appropriate include language explaining that diversions will be limited to 3.0 acre-feet per acre from all sources. Also the applications were to provide a supplementary supply to 8,547.25 acres or 10,000 acres depending on the application. Mosby obviously provides the sole supply for the 854.5 acres. The 650.24 acres receive water from Mosby and from 43 area water rights. The Deep Creek Distribution records were researched and the records are sketchy.

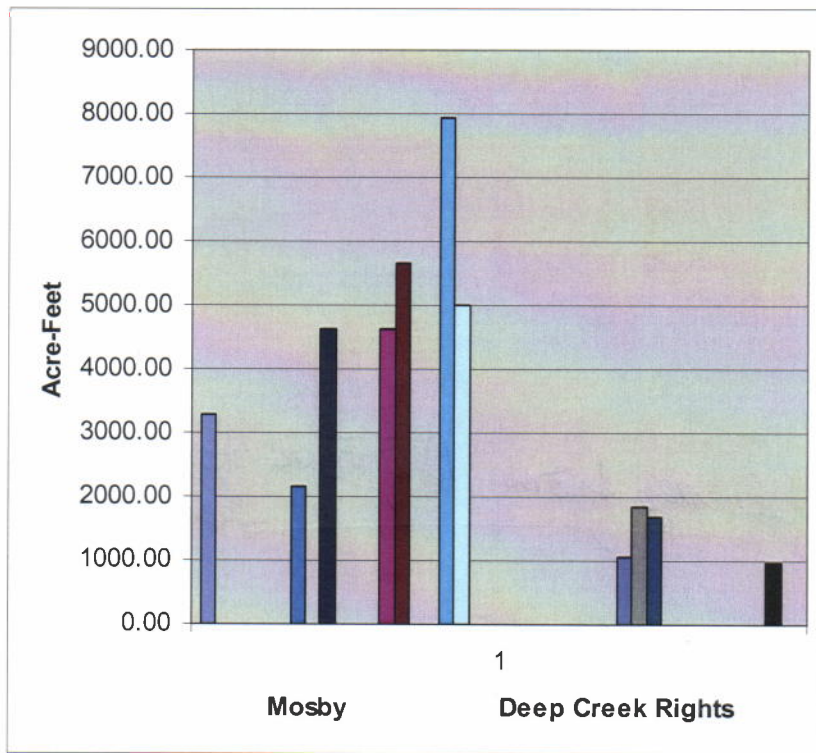
The following is a graph based on available delivery and assessment data for the Deep Creek Distribution System. Assessments for the system are based on delivery of water.



From the graph it appears that Mosby irrigation provides between 70 and 90 percent of the water in the Deep Creek Distribution System. The duty for the Mosby water rights is 3.0 acre-feet per acre from all sources. (The duty was established as 3.0 acre-feet for the Uinta River and its tributaries by Federal Decree in 1923.) The explanatory section of Application to Appropriate Water No. 45-515 states the diversion "...will not exceed three acre feet per acre irrigated during any Irrigation Season. From all Rights Combined."

TALK TO
WARD
WAGSTAFF

The following is a graph of the diversions for Mosby and for the Deep Creek water rights.



The delivery records show that Mosby's diversions have ranged from about 2,000 acre-feet to nearly 8,000 acre-feet, and the diversions for the Deep Creek rights have ranged from about 1,000 acre-feet to a little over 1,800 acre-feet. The average deliveries for the years of record are about 4,600 acre-feet for Mosby and about 1,400 acre-feet for the Deep Creek rights. The total delivery appears to be in the 4.0 acre-foot per acre range and the duty is 3.0 acre-feet per acre. It appears the use of historical data to determine the sole supply for Mosby leads to as many questions as answers. If the Mosby deliveries are limited to a total duty of 3.0 acre-feet per acre, the Deep Creek deliveries will be reduced also since the return flows from the Mosby water increases the available Deep Creek water.

I propose that we do not include a determination of the sole supply for Mosby Irrigation Company's water rights in the proposed determination. Instead, let's identify the acreage for which Mosby provides a sole supply and identify the acreage for which they provide a supplemental supply.

I don't like this idea.

Above the company tell us what they want to claim as sole supply on the 650,000 acres.

are we limited to the 3.0 AF/Ac duty? we have revised duty before in the PD.

$$4 \text{ AF/Ac} \Rightarrow \text{sole supply} = \frac{4600 \text{ AF}}{4 \text{ AF/Ac}} = 1,150$$

whether this claim from (over) Big Fork will reduce sole supply of Deep Creek rights.

just because it is in a federal claim? it seems a new district court case could supersede it.

Possible deliveries from Dry Fork based on limitations in down.

May-June. \rightarrow 3030 AF
 July \rightarrow 1230 AF
 Aug-Oct. \rightarrow 1825 AF
 6,085 AF

Actions in canal. 10 cfs - 11

May / June \rightarrow 1209
 July \rightarrow 62
 Aug - Oct. \rightarrow 182
 1,453 AF

8,138 AF.

$$\frac{8138 \text{ AF}}{4 \text{ AF/AC}} = 2,035 \text{ AC}$$

$$\frac{8138 \text{ AF}}{3 \text{ AF/AC}} = 2,713 \text{ AC.}$$